



To the Honorable Council
City of Norfolk, Virginia

June 24, 2014

From: John M. Keifer, Director of Public Works

Subject: Amend ordinance number 45,072, which permits 401 Granby, L.L.C. to encroach 3', more or less, into right-of-way of Granby Street and Freemason Street.

Reviewed:

Ronald H. Williams, Jr., Assistant City Manager

Ward/Superward: 2/6

Approved:

Marcus D. Jones, City Manager

Item Number:

R-3

I. **Recommendation:** Adopt Ordinance

II. **Applicant:** 401 Granby, L.L.C.
411 Granby Street
Norfolk, Virginia 23510

III. **Description**

This agenda item is to amend ordinance number 45,072, which permits 401 Granby, L.L.C. to encroach 3', more or less, into the rights-of-way of Granby Street and Freemason Street with cornices, Juliet Balconies, foundation footers and roof overhang, so as to add two blade signs to the encroaching structures.

IV. **Analysis**

An encroachment is an object or structure that infringes into the City of Norfolk's right-of-way or property. Norfolk City Code, Section 42-10, requires all encroachments into the right-of-way to be approved by City Council. The encroachment in this location will allow 401 Granby, L.L.C. to add two blades signs to the encroaching structures.

V. **Financial Impact**

Liability insurance has been provided naming the City of Norfolk as additional insured in the amount of \$1,000,000; therefore, there should be no financial risk to the City. The City of Norfolk did not charge a fee for this encroachment.

VI. Environmental

There is no negative environmental impact associated with this action.

VII. Community Outreach/Notification

Public notification for this agenda item was conducted through the City of Norfolk's agenda notification process.

VIII. Board/Commission Action


The Department of Public Works, the Department of Planning & Community Development, and the City Attorney's Office has reviewed this request for encroachment and offer no objections. The encroachment was reviewed and recommended by the Norfolk Design Review Process.

IX. Coordination/Outreach


This letter has been coordinated with Department of Public Works, the Department of Planning & Community Development, and the City Attorney's Office.

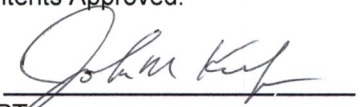
Supporting Material from the Department of Public Works:

- Ordinance
- Exhibit A (4 sheets)

Form and Correctness Approved: 

By 
Office of the City Attorney

 Contents Approved:

By 
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE TO AMEND ORDINANCE NUMBER 45,072, WHICH PERMITS 401 GRANBY, L.L.C. TO ENCROACH UP TO 3', MORE OR LESS, INTO THE RIGHTS-OF-WAY OF GRANBY STREET AND FREEMASON STREET WITH CORNICES, JULIET BALCONIES, FOUNDATION FOOTER AND ROOF OVERHANG, SO AS TO ADD TWO BLADE SIGNS TO THE ENCROACHING STRUCTURES.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That ordinance number 45,072, which was adopted and became effective on April 23, 2013 is hereby amended, so as to add two blade signs, as shown on the attached Exhibit A, to the permitted encroaching structures.

Section 2: - That the permission to encroach is still subject to and contingent upon the following conditions:

- (1) This permission is expressly subject to the right of revocation by the Council and that in the event of such revocation, 401 Granby, L.L.C., and its successors and assigns, shall immediately remove the encroaching structures.
- (2) Upon the removal of the encroaching structures or any part thereof the authority hereby granted shall cease and terminate.
- (3) 401 Granby, L.L.C., and its successors and assigns, at their own cost and expense, shall take out and keep in full force and effect public liability insurance in some company authorized to do business in the Commonwealth of Virginia, insuring it and naming the City of Norfolk as an additional insured party in the amount of at least \$1,000,000.00 per person/per injury/per occurrence, \$500,000.00 property damage/per occurrence, and aggregate \$2,000,000.00 per occurrence against liability

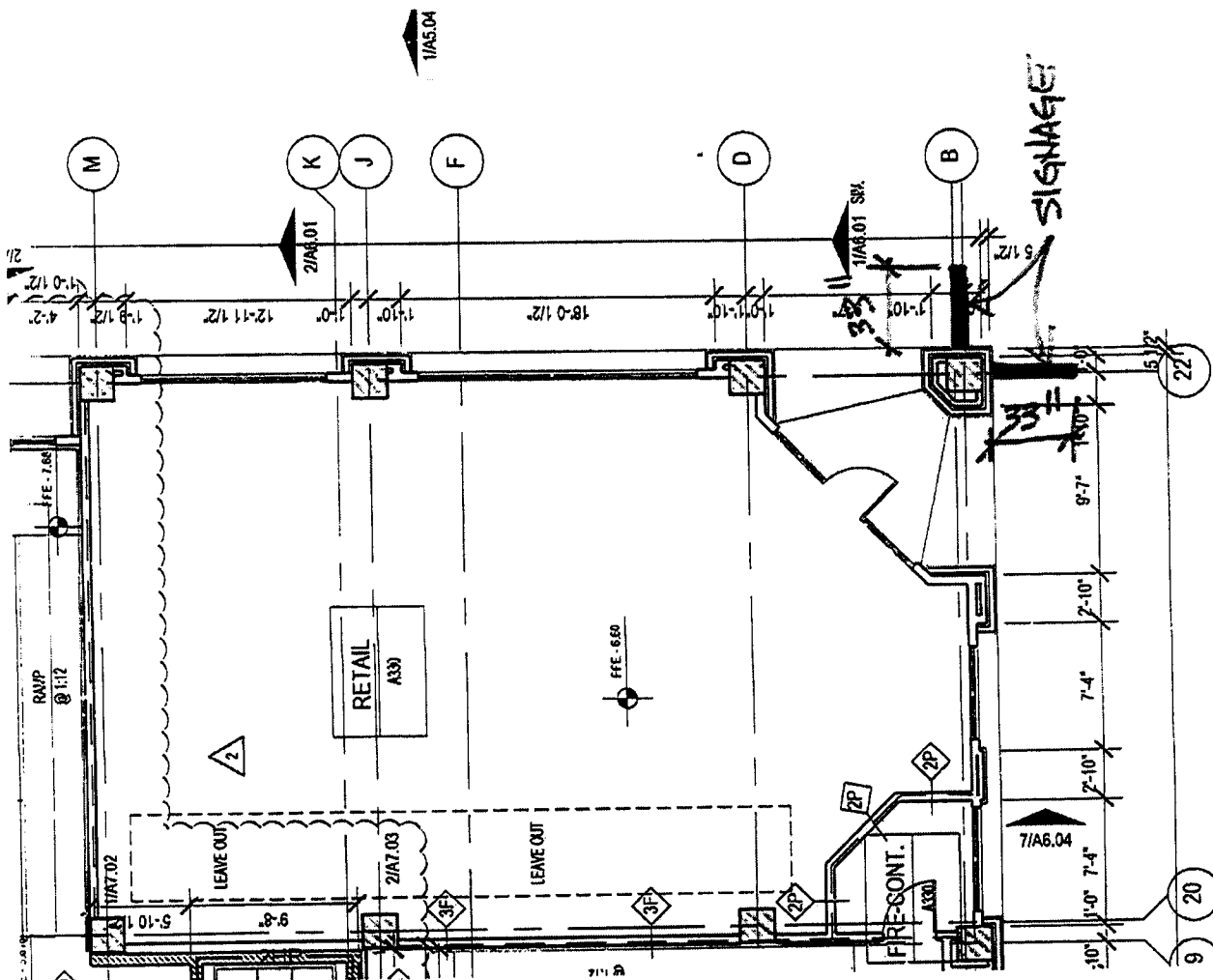
from any and all claims, actions and suits that may be asserted or brought against the City of Norfolk and 401 Granby, L.L.C., and its successors and assigns, for any injury to or death of any person or persons or for any damage to or destruction of property resulting from the installation, maintenance, or existence of said encroaching structures; that evidence of such insurance shall be filed with the Risk Manager, Department of Finance, of the City of Norfolk.

- (4) That the City of Norfolk shall not be responsible for any damage to the encroaching structures, including replacement and reinstallation costs, resulting from the City's operation, maintenance, repair, or replacement of any utilities located in the rights-of-way of Granby Street and Freemason Street.

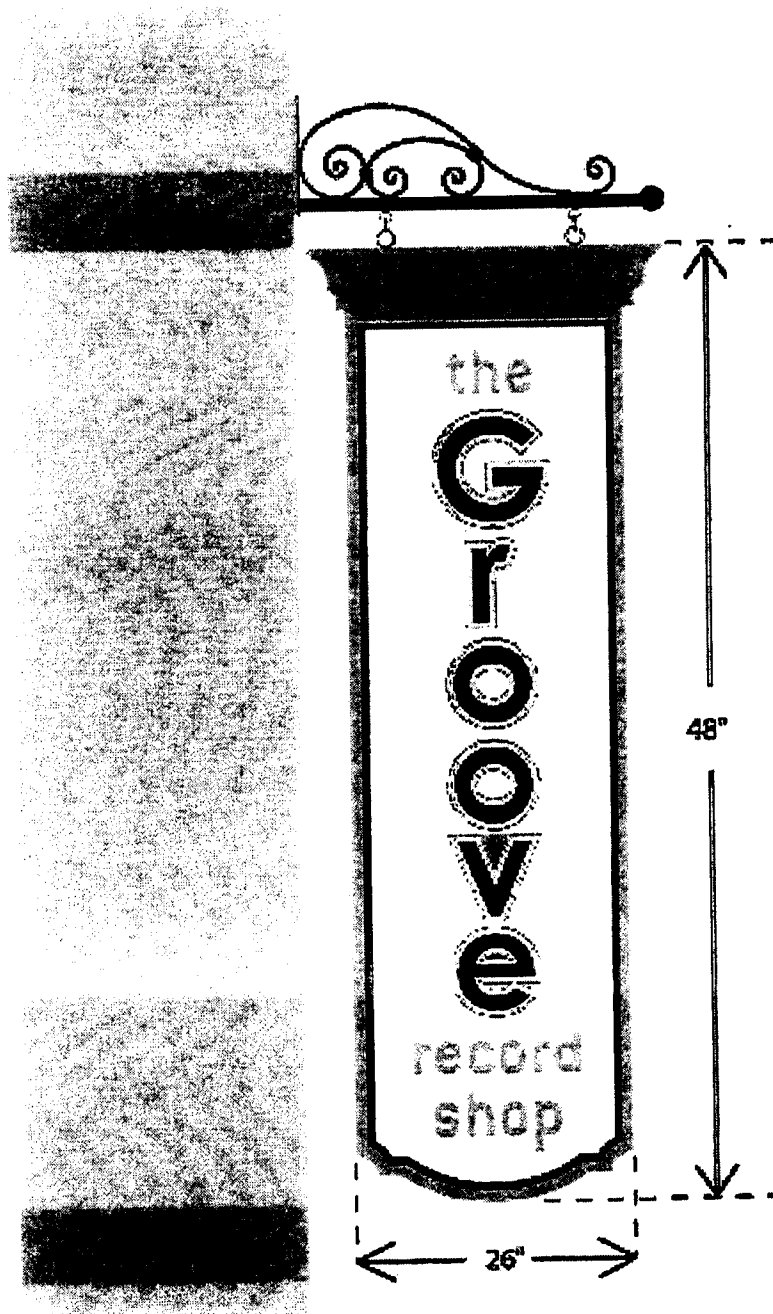
Section 2:- That the failure of 401 Granby, L.L.C., and its successors and assigns, to fully comply with all contingencies set forth herein shall operate as an automatic revocation of the permission granted hereby.

Section 3:- That the use of the said encroaching structures shall be deemed an acceptance by 401 Granby, L.L.C., and its successors and assigns, of all conditions to which the permission herein granted is subject.

Section 4:- That this ordinance shall be in effect from and after its adoption.







FIN SIZE: 26" wide x 48 high

MATERIALS: 1.) 3/4" MDO Plywood substrate.

2.) 1/4" Acrylic and cast vinyl lettering.

3.) Any hardware to be stainless steel.

4.) 33" Powdered Coated Black steel Classic Hanging Bracket with Ball Finial.

5.) 3/4" white PVC overlaid substrate with black painted routed cove.

©



14296 John Clayton Memorial Hwy.

Designed exclusively for: **The Groove Record Shop**
Paul Levine

Address: Store location: 401 Granby, Norfolk Va. 23510 Phone: 804-725-8305
Mail: 4900 Woodbury Ave., Norfolk Va. 23508

Signature

Date **5/16/14**

The prices, specifications, and conditions as described are satisfactory and are hereby

50% DEPOSIT REQUIRED ON ALL WORK.
BALANCE DUE ON COMPLETION.
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